

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

*** FILED ***
10/14/2002

10/10/2002

CLERK OF THE COURT
FORM R012

HONORABLE EILEEN WILLETT

D. Monroe
Deputy

CR 2001-005401

FILED: _____

STATE OF ARIZONA

NOEL J R LEVY

v.

PETER JAMES LITTLE

DENNIS C JONES

VICTIM SERVICES DIV-CA-CCC

TRIAL MINUTE ENTRY
DAY 4

10:30 a.m. Trial to jury continues from 10/09/2002.

State's Attorney:	Noel J. R. Levy
Defendant's Attorney:	Dennis C. Jones
Defendant:	Present
Court Reporter:	Rick Gaio

The jury is not present.

The Court has had an opportunity to review and reflect on Mr. Schrader's testimony from 10/09/2002.

The Court has also spoken to counsel in chambers. Counsel indicated that another witness, Pluma Schrader, has been interviewed and will testify that she has seen the Defendant with a gun.

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

*** FILED ***
10/14/2002

10/10/2002

CLERK OF THE COURT
FORM R012

HONORABLE EILEEN WILLETT

D. Monroe
Deputy

CR 2001-005401

The Court will strike that portion of Mr. Schrader's statement regarding hearsay. The Court will instruct Mr. Schrader that he is not to discuss hearsay. He may testify as to what he observed. The Court will also instruct the jury that they are not to consider the stricken portion of Mr. Schrader's statement.

The Court has received written questions from the jury. Court and counsel discuss the questions, and answers will be provided through further testimony of the witness, as set forth on the record.

Counsel for the Defendant requests that the State be precluded from asking the witness a follow-up question regarding the Defendant's demeanor.

Argument is heard.

Defendant's motion in limine is denied.

10:48 a.m. Terry Schrader resumes the stand.

The witness is instructed by the Court not to discuss anything anyone else has told him but only what he has personally observed and that the Court is striking the portion of his answer regarding hearsay.

10:52 a.m. The jury is now present.

The jury is instructed to disregard that portion of the witness's answer from yesterday regarding hearsay.

State's case continues:

Terry Schrader testifies further.

The Court conducts a bench conference regarding jury questions 2 and 3.

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

*** FILED ***
10/14/2002

10/10/2002

CLERK OF THE COURT
FORM R012

HONORABLE EILEEN WILLETT

D. Monroe
Deputy

CR 2001-005401

The Court conducts two bench conferences regarding questions asked of the witness, as set forth on the record.

11:27 a.m. The jury leaves the courtroom, and Court remains in session.

The Court re-caps the testimony presently before the jury.

11:36 a.m. At the direction of the Court, Terry Schrader leaves the courtroom.

Counsel for the Defendant moves for a mistrial.

Argument is heard.

11:41 a.m. Terry Schrader resumes the stand and testifies further.

11:45 a.m. At the direction of the Court, Terry Schrader leaves the courtroom.

Further argument is heard.

Counsel for the Defendant renews his motion for a mistrial.

Defendant's motion for a mistrial is denied.

The Court has received a written question from the jury. Court and counsel discuss the question, as set forth on the record.

11:55 a.m. Court stands at recess.

1:32 p.m. Court reconvenes.

State's Attorney: Noel J. R. Levy
Defendant's Attorney: Dennis C. Jones

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

*** FILED ***
10/14/2002

10/10/2002

CLERK OF THE COURT
FORM R012

HONORABLE EILEEN WILLETT

D. Monroe
Deputy

CR 2001-005401

Defendant: Present
Court Reporter: Rick Gaio

The jury is not present.

The Court will ask juror question number 1 and will not ask juror questions 2, 3, or 4.

1:35 p.m. The jury is now present.

Terry Schrader resumes the stand and testifies further.

The Court conducts two bench conferences regarding questions asked of the witness, as set forth on the record.

The Court receives written questions from the jury. Court and counsel discuss the questions, and answers will be provided through further testimony of the witness, as set forth on the record.

At the direction of the Court, State's exhibit 41 is unsealed for use in answering one of the jury questions.

The witness is excused.

Pluma Rae Schrader is sworn and testifies.

The Court conducts a bench conference regarding the statement made by the witness, as set forth on the record.

2:40 p.m. The jury leaves the courtroom, and Court remains in session.

Discussion is held regarding the witness's last statement.

The witness is available for interview by counsel.

2:42 p.m. Court stands at recess.

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

*** FILED ***
10/14/2002

10/10/2002

CLERK OF THE COURT
FORM R012

HONORABLE EILEEN WILLETT

D. Monroe
Deputy

CR 2001-005401

3:10 p.m. Court reconvenes.

State's Attorney:	Noel J. R. Levy
Defendant's Attorney:	Dennis C. Jones
Defendant:	Present
Court Reporter:	Rick Gaio

The jury is all present.

Pluma Rae Schrader resumes the stand and testifies further.

The Court receives written questions from the jury. Court and counsel discuss the questions, and answers are provided through further testimony of the witness.

The witness is excused.

William Cox is sworn and testifies.

State's exhibits 2 through 7 are received in evidence.

The witness is excused.

4:17 p.m. Court stands at recess until 10:30 a.m. on 10/15/2002.

FILED: Jury Notes (9)

State's exhibit 41 is resealed by Detective Orona.